

Amendment and Response

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

REMARKS

The following remarks are made in response to the Office Action mailed August 18, 2010. Claims 1-14 and 16-30 were rejected. With this Amendment and Response, claims 1 and 17 have been amended. Claims 1-14 and 16-30 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-10 and 16-26 under 35 U.S.C. § 103(a) as being unpatentable over the Ann U.S. Patent Application Publication No. 2002/0198727 ("Ann") in view of the Dean U.S. Patent No. 6,336,101 ("Dean") and further in view of the Wookey U.S. Patent Application Publication No. 2002/0147974 ("Wookey").

The Examiner rejected claims 11-14 and 27-30 under 35 U.S.C. § 103(a) as being unpatentable over the Ann U.S. Patent Application Publication No. 2002/0198727 in view of the Dean U.S. Patent No. 6,336,101 and the Wookey U.S. Patent Application Publication No. 2002/0147974, and further in view of the Northcutt U.S. Patent Application Publication No. 2003/0126001.

Ann is directed to a system and method of modeling an enterprise and its objectives and its information technology system into a single enterprise framework so that the effect of changes in one can be seen as impacting the other.

Applicant respectfully submits that Ann fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign first items of IT infrastructure to a first role within the enterprise and assign second items of IT infrastructure to a second role within the enterprise, wherein the second items include one or more items of IT infrastructure not included in the first items, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, organization units 312 have roles and responsibilities 314 which relate to processes 316, where a process to be implemented may use application software from the IT architecture. See paragraph [0043] of Ann. Also, the application software 330 supports user groups 334 (see paragraph [0046] of Ann) and the user groups 334 are generally connected to the roles and responsibilities 314 via

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an arrow pointing from the roles and responsibilities 314 to the user groups 334 in Figure 5 of Ann. Applicant has not found any other material in Ann describing how the roles and responsibilities 314 relate to the processes 316 and application software 330, or how the roles and responsibilities 314 relate to the user groups 334 and the application software 330. At most, Ann generally and indirectly relates roles and responsibilities 314 to application software 330 via either the processes 316 or the user groups 334. Ann does not teach or suggest assigning first items of IT infrastructure to a first role within the enterprise and assigning second items of IT infrastructure to a second role within the enterprise, wherein the second items include one or more items of IT infrastructure not included in the first items, as recited in the claim language.

In the Response to Arguments section of the Office Action dated August 18, 2010, the Examiner states that "[c]ssentially, Applicant is arguing that Ann does not teach multiple items of IT infrastructure, multiple roles, and multiple employees". Applicant respectfully submits that Applicant is arguing the claim language of amended independent claim 1 and amended independent claim 17, and that Ann fails to teach or suggest limitations in the claims as described above.

The Examiner further relies on Dean in the obviousness rejection. Dean is directed to a user interactive display computer process and program provided by a distributor of computer components to a seller of computer systems for configuring computer systems and networks including the computer components. The process involves prompting system purchasers to make a sequence of interactive data entries and then allocating the computer components to the networks and systems based upon said user entries. The quantities of the computer components thereby allocated to computer systems sold by said seller to said purchasers during a selected time period are tracked and stored. A determination is made as to whether the quantities of components thereby allocated during the time period exceed a selected level and if the level is exceeded, fees due from said seller to said distributor for said process are foregone.

Applicant submits that Dean fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign first items of IT infrastructure to a first role within the enterprise

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and assign second items of IT infrastructure to a second role within the enterprise, wherein the second items include one or more items of IT infrastructure not included in the first items, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Dean, the process involves prompting system purchasers to make a sequence of interactive data entries and then allocating the computer components to the networks and systems based upon said user entries. Figure 4 is a display panel through which the users may be assigned to functional groups so that this information may be used to allocate program resources. Also, in the data entry panel of Figure 7, group and job function entries are prompted for, which will be used to allocate programs for the user. These statements generally say that the information will be used to allocate resources. They do not describe how the information will be used to allocate computer components to employees. These statements and Dean do not teach or suggest assigning first items of IT infrastructure to a first role within the enterprise and assigning second items of IT infrastructure to a second role within the enterprise, wherein the second items include one or more items of IT infrastructure not included in the first items, as recited in the claim language.

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign the first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and assign the second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of the enterprise, wherein the second employees include one or more employees of the enterprise not included in the first employees, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, roles and responsibilities 314 relate to processes 316, where a process to be implemented may use application software. See paragraph [0043] of Ann. Also, user groups 334 are generally connected to the roles and responsibilities 314 via an arrow pointing from the roles and responsibilities 314 to the user groups 334 in Figure 5 of Ann, where application software 330 supports user groups 334 (see paragraph [0046] of Ann). Applicant has not found any other material in Ann describing how the roles and responsibilities 314 relate to the processes

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316 and application software 330, or how the roles and responsibilities 314 relate to the user groups 334 and the application software 330. In Ann, the roles and responsibilities relate to processes and the roles and responsibilities are generally connected to user groups, however, Ann does not teach or suggest assigning a first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and assigning a second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of the enterprise, wherein the second employees include one or more employees of the enterprise not included in the first employees. The Examiner further relies on Dean in the obviousness rejection.

Applicant submits that Dean fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign the first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and assign the second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of the enterprise, wherein the second employees include one or more employees of the enterprise not included in the first employees, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Dean, the process involves prompting system purchasers to make a sequence of interactive data entries and then allocating the computer components to the networks and systems based upon said user entries. Figure 4 is a display panel through which the users may be assigned to functional groups so that this information may be used to allocate program resources, and in the data entry panel of Figure 7, group and job function entries are prompted for, which will be used to allocate programs for the particular user. These statements generally say that the information will be used to allocate resources. They do not describe how the information will be used to allocate computer components to employees. These statements and Dean do not teach or suggest assigning a first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and assigning a second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of

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the enterprise, wherein the second employees include one or more employees of the enterprise not included in the first employees.

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a modeling phase, model a change in the first items of IT infrastructure assigned to the first employees of the enterprise, and model a change in the second items of IT infrastructure assigned to the second employees of the enterprise, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. Where, this limitation exploits the previously discussed limitations regarding the first items of IT infrastructure being assigned to the first employees via assigning the first items of IT infrastructure to a first role within the enterprise and assigning the first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and this limitation exploits the previously discussed limitations regarding the second items of IT infrastructure being assigned to the second employees of the enterprise via assigning the second items of IT infrastructure to a second role within the enterprise and assigning the second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of the enterprise. In contrast, in Ann, the system and method models an enterprise and its objectives and its information technology system into a single enterprise framework so that the effect of changes in one can be seen as impacting the other. The roles and responsibilities 314 are generally related to the processes 316 and application software 330, and the roles and responsibilities 314 are generally related to the user groups 334, where the application software 330 supports the user groups 334. The application software 330 is not assigned to employees via the roles and responsibilities 314. The Examiner further relies on Dean in the obviousness rejection.

Dean also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a modeling phase, model a change in the first items of IT infrastructure assigned to the first employees of the enterprise, and model a change in the second items of IT infrastructure assigned to the second employees of the enterprise, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Dean, the process

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involves prompting system purchasers to make a sequence of interactive data entries and then allocating the computer components to the networks and systems based upon said user entries. The statements in Dean only generally say that the information will be used to allocate resources. They do not describe how the information will be used to allocate computer components to employees.

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a deployment phase, automatically initiate deployment of the modeled change in the first items of IT infrastructure assigned to the first employees of the enterprise, which includes organizing delivery of the modeled change in the first items of IT infrastructure to implement the modeled change in the first items of IT infrastructure, and automatically initiate deployment of the modeled change in the second items of IT infrastructure assigned to the second employees of the enterprise, which includes organizing delivery of the modeled change in the second items of IT infrastructure to implement the modeled change in the second items of IT infrastructure, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, one example includes putting a printed catalog on the Internet and becoming an e-tailer, which is a decision in a business framework that influences its capabilities and its application software, among other things. This same business might have made a decision instead to have a presence on the web, changing its IT architecture with the additional applications and functions to support a web presence, where from this change in its IT architecture, its capabilities and its business architecture may also change. This example shows that a change in a business framework may influence a change in an information technology framework, and vice versa. This example does not teach or suggest automatically initiating deployment of a modeled change in items of IT infrastructure assigned to employees of an enterprise, which includes organizing delivery of the modeled change in the items of IT infrastructure to implement the modeled change in the items of IT infrastructure.

Also, in Ann at paragraph [0043], events trigger or initiate processes, where the events may be internal events or external events. In these circumstances, the event causes a process to be implemented which may use application software and/or data from the IT

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architecture section. However, events triggering or initiating processes do not teach or suggest automatically initiating deployment of a modeled change in items of IT infrastructure assigned to employees of an enterprise, which includes organizing delivery of the modeled change in the items of IT infrastructure to implement the modeled change in the items of IT infrastructure.

The Examiner further relies on Wookey in the obviousness rejection. Wookey is directed to a method and installation system for implementing the method, for remotely installing systems management software on a host. The method includes communicatively linking an installation station with the host, downloading a survey script on the host, executing the survey script to automatically gather computing environment information, and transmitting to the installation station the environment information. The installation station transmits to the host a tool for automatically installing systems management software and a payload including systems management software that is selected to suit the environment information. The tool installs the payload on the host and automatically configures the installed software for the detected host environment. The environment information includes hardware and software configuration information, identification of modules for monitoring the host, thresholds based on configuration of the host, and installation commands to run during payload installation.

Wookey fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a deployment phase, automatically initiate deployment of the modeled change in the first items of IT infrastructure assigned to the first employees of the enterprise, which includes organizing delivery of the modeled change in the first items of IT infrastructure to implement the modeled change in the first items of IT infrastructure, and automatically initiate deployment of the modeled change in the second items of IT infrastructure assigned to the second employees of the enterprise, which includes organizing delivery of the modeled change in the second items of IT infrastructure to implement the modeled change in the second items of IT infrastructure, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Wookey, a survey script is downloaded to the host and the survey script automatically gathers computing environment information from

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the host. The gathered environment information is transmitted to the installation station and the installation station transmits a payload selected to suit the environment information to the host. Wookey fails to teach or suggest automatically initiating deployment of a modeled change in items of IT infrastructure assigned to employees of an enterprise, which includes organizing delivery of the modeled change in the items of IT infrastructure to implement the modeled change in the items of IT infrastructure.

In the Office Action dated August 18, 2010 at pages 6 and 7, the Examiner states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to select the deployed software of Wookey based on the user roles and employees of Dean and Ann. However, the claim language includes limitations related to modeled changes in items of IT infrastructure assigned to employees of an enterprise, which includes organizing delivery of the modeled changes in the items of IT infrastructure to implement the modeled changes in the items of IT infrastructure. Also, these limitations exploit the previously discussed limitations regarding the first items of IT infrastructure being assigned to the first employees via assigning the first items of IT infrastructure to a first role within the enterprise and assigning the first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and the previously discussed limitations regarding the second items of IT infrastructure being assigned to the second employees of the enterprise via assigning the second items of IT infrastructure to a second role within the enterprise and assigning the second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of the enterprise. In addition, in Wookey, the gathered environment information includes hardware and software configuration information, identification of modules for monitoring the host, thresholds based on configuration of the host, and installation commands to run during payload installation. This gathered environment information is clearly not roles and employee information.

In view of the above, Applicant submits that all features of amended independent claim 1 and all features of amended independent claim 17 are not taught or suggested by Ann, Dean, and Wookey, alone or in combination. Applicant respectfully requests that the

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above rejections under 35 U.S.C. § 103 be withdrawn and amended independent claims 1 and 17 be allowed.

As dependent claims 2-14 and 16 further define patentably distinct amended independent claim 1, and dependent claims 18-30 further define patentably distinct amended independent claim 17, these dependent claims are also believed to be allowable over the art of record. Therefore, Applicant respectfully requests that the above rejections to the dependent claims be withdrawn and these claims be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-14 and 16-30 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-14 and 16-30 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005.

Respectfully submitted,

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